



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF PLUMBING & HVACR EXAMINERS
MEETING DATE AND TIME:	Tuesday, January 11, 2011 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon
MINUTES APPROVED:	February 8, 2011

MEMBERS PRESENT

Robert Briccotto, Jr., Professional Member, President
Dean Sherman, Professional Member, Vice President
Carol Guilbert, Public Member, Secretary
Jerome Todd, Professional Member
Frank Beebe, Professional Member
James Anderson, Public Member
Shirley Good, Public Member
Gerard Pepeta, Professional Member

MEMBERS ABSENT

Christopher Preston, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

James Collins, Director
Kay Warren, Deputy Director
Jenn Witte, Administrative Specialist II
Danny Stevenson, Deputy Attorney General

OTHERS PRESENT

Charles Robbins
Chuck Davidson
Ming Lau

Robert Wiesner
James Achzet
Robert Shields
Kevin O'Connell
Gary DiCiasare
Anthony Morano
Tom D'Andrea
Richard Ziegenhorn
Julian Massetti
Mario Massetti
Steven Hudson
James Permelia
George Haggerty
John Behornar
Ray Williams

CALL TO ORDER

Mr. Briccotto called the meeting to order at 8:38 a.m.

REVIEW OF MINUTES

A motion was made by Mr. Beebe, seconded by Ms. Good to approve the November 9, 2010 meeting minutes as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Re-Review of Applications

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to approve the Master HVACR restricted applications of Joshua Pierce and Dan Foss, the Master Plumber application of Gary DiCiasare, and the Master HVACR application of Gregg Uhde. The motion was unanimously carried.

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to deny the Master HVACR Restricted application of Robert Frick for not having 7 years of experience. The motion was unanimously carried.

Review of Exam Results

The Board reviewed the examination results, which showed that out of six candidates, two received a passing score: Master Plumber- Michael Kelly and Steven Evans.

Proposal to Deny Applications

A motion was made by Ms. Guilbert, seconded by Mr. Beebe, to propose to deny the applications of William Blessing, James Lister, and Gary DiCiasare for no additional documentation being received. The motion was unanimously carried.

NEW BUSINESS

Review of Examination Applications

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to approve the applications of Robert Malaspina and Keith Masciantonio. The motion was unanimously carried.

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to deny the application of Barry Stevens due to lack of experience. The motion was unanimously carried.

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to deny the application of David Woodie for not having proof of seven years of experience. The motion was unanimously carried.

A motion was made by Mr. Beebe, seconded by Ms. Good, to accept the NCC exam as an approved exam for State licensure and approve the applications of Douglas Renshaw, Edgar Marsh, Steven Hudson, Kevin O'Connell, Alan Marine, Robert Wiesner, and Randall Green contingent upon receipt of all supporting documents for licensure. The motion was unanimously carried.

Complaint Status

34-02-07-Assigned
34-01-09-Forwarded to Office of Attorney General
34-02-09-Forwarded to Office of Attorney General
34-03-09-Closed
34-10-09-Closed
34-13-09-Assigned
34-15-09-Assigned
34-01-10-Assigned
34-02-10-Assigned
34-03-10-Assigned
34-04-10-Assigned
34-06-10-Assigned
34-08-10-Assigned
34-09-10-Assigned
34-10-10-Closed

Schedule Disciplinary Hearing

The hearings for Richard Vansant, complaint #34-02-07 and Patrick Blanch, complaint #34-07-09 will both be scheduled for March 8, 2011.

Ratification of Applications

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to approve the ratified applications of Marc Bathon, Courtney Schrock, William Cline, Jerry McMillan, Harry Enoch, Craig Washington, John Braun, Jack Shewell, Charles Fauer, Edward Anders, Benjamin Boyce, Timothy Martin, William Hewitt, Matthew Garvey, and Harold Everett, Jr. The motion was unanimously carried.

Review of Reciprocity Applications

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to approve the reciprocity applications of John Reid, Bradford Foster, Michael Ivliano, and James Gaiser, Jr. The motion was unanimously carried.

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to deny the reciprocity applications of Christopher Ferguson and Randall Whitt for lack of 7 years of experience. The motion was unanimously carried.

Loss of License Holder

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to approve the loss of license application of Brian Roberts. The motion was unanimously carried.

Discussion of IMC and IFC Codes

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to table this discussion until the February Board meeting. The motion was unanimously carried.

Review of Grandfathered Application

A motion was made by Ms. Guilbert, seconded by Mr. Anderson, to approve the application of Anthony Iorii. The motion was unanimously carried.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

There was no additional business to go before the Board.

PUBLIC COMMENT

Due to the amount of public that attended the meeting in reference to their NCC license and having to now get a State HVACR license, Mr. Briccotto moved the public comment section of the agenda to the beginning of the meeting.

Mr. Briccotto stated that he is aware if the issues regarding the HVACR license and that some individuals in the profession were not aware of the Grandfather provision. He stated that notices were placed in the News Journal and Delaware State News as well as being sent to contractors, supply houses, etc. and an extension was placed on the Grandfather provision. Mr. Briccotto added that the main focus is to get all individuals in compliance and opened the floor to the public.

Anthony Morano stated that he has been in the profession for 35 years and asked why we cannot accept the experience that he has in Delaware, but will accept him applying by reciprocity from Maryland. Mr. Briccotto stated that we accepted that experience during the Grandfather provision and that a time limit was placed on this provision so that the process didn't keep going on and on. Mr. Morano stated that he got his NCC license with no problems. Mr. Briccotto advised that he can obtain the NCC license, however he cannot have a permit issued without the State license in place.

Richard Ziegenhorn stated that he has been in the profession for 30 years and when he was first licensed he had four licenses and now he only has one. Mr. Briccotto stated that he understood the concerns that everyone had, however we cannot change the law.

Robert Weisner stated that he has been in the profession for 35 years and doesn't understand why the Grandfather provision cannot be extended for those people that were not informed properly the first time around.

Steve Hudson stated that he worked for one of the technical schools and had to place his NCC license in escrow. As a result of this he didn't receive any notices from the county.

Mr. Collins introduced himself as Director of the Division and stated that he wanted to clarify that these individuals can apply for licensure by examination or reciprocity. He added that out of 1300 Grandfathered applications, less than 5% have not been licensed.

Julian Massetti stated that he took the exam and that in addition to it not being open book like previously stated it was also \$400.00. Mr. Briccotto advised that he took the Bypass exam and that The Board is currently working on legislature to delete this exam from the process.

James Permelia with NCC stated that they are in a situation now where licensees cannot work because they do not have the State license.

John Behornar, also with NCC, asked if the Board can consider the temporary license until these applicants are able to take the exam. Mr. Briccotto stated that the temporary license that he is referring to is specific to loss of life.

Charlie Robbins stated that the NCC test is on ones' competency and asked if these individuals who have taken this test and received passing scores can be accepted for State licensure. The Statute states it has to be a Board approved exam.

A motion was made by Mr. Beebe, seconded by Ms. Good, to accept the NCC exam with a passing score as a Board-approved exam. The applicants can provide the Board with the application, application fee, and a copy of their NCC license to obtain State licensure. The motion was unanimously carried.

Mr. Collins asked if the Board would grant the Division the authority to ratify these applications.

A motion was made by Mr. Beebe, seconded by Ms. Guilbert, to allow the Division the authority to ratify these applications. The motion was unanimously carried.

NEXT SCHEDULED MEETING

The next meeting will be held on **Tuesday, February 8, 2011** at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

A motion was made by Mr. Beebe, seconded by Mr. Anderson to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 10:50 a.m.

Respectfully submitted,

Jenn Witte
Administrative Specialist II